

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY**

**KATHLEEN JOHNSTON, LORETTA
WEIGNER, and JANICE
FAHRENHOLTZ, on behalf of themselves
and all others similarly-situated,**

Plaintiffs,

v.

**CROSSMARK, INC., and THE DANNON
COMPANY, INC.,**

Defendants.

Civil Action No. 08-1525 (SDW) (MCA)

**ORDER GRANTING
DEFENDANT'S MOTION FOR
PRELIMINARY INJUNCTION AND
SANCTIONS**

This matter having come before the Court upon motion of Defendant CROSSMARK, Inc. for preliminary injunction and sanctions; and the Court having considered the moving, opposition and reply papers submitted in support of and in opposition to the motion, and good cause appearing,

It is on this 15th day of September, 2009,

ORDERED that:

1. Defendant's Motion for a Preliminary Injunction and Sanctions is hereby GRANTED.

2. Plaintiffs and their respective attorneys, agents, servants, successors and assigns, and all persons acting in concert or participation with Plaintiffs or acting on their behalf or at their direction are enjoined from:

(a) sending the e-mail attached as Exhibit 1 to the Declaration of Bruce O'Brien to any other past or present CROSSMARK employees; and,

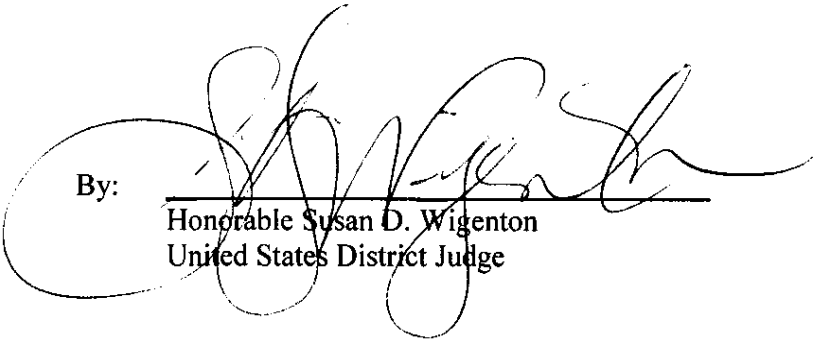
- (b) sending any written communications to any past or present CROSSMARK employee (other than the named Plaintiffs) regarding this lawsuit that are not authorized or approved by this Court, including letters, flyers, posters, cards, e-mails or other written communications, from this date through the time of trial.

3. Plaintiffs' counsel shall produce a list of the individuals to whom they sent the e-mail attached as Exhibit 1 to the Declaration of Bruce O'Brien, the e-mail attached as Exhibit 3 to the Declaration of Elizabeth Bedell, and any similar written communications sent on other dates, as well as all contact information that Plaintiffs or their counsel possess for those individuals.

4. Plaintiffs' counsel shall be prohibited from representing any individual to whom they sent the aforementioned written communications.

5. Upon application of CROSSMARK, Inc., Plaintiffs' counsel shall pay to CROSSMARK, Inc. the reasonable attorneys' fees and costs it incurred in bringing this Motion before the Court.

By:



Honorable Susan D. Wigenton
United States District Judge